

LANSING STATE REPUBLICAN.

BY HOSMER & KERR.

LANSING, MICHIGAN, TUESDAY, APRIL 26, 1859.

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Secretary of State.
JAMES W. HOSMER, Deputy Secretary.
Attorney General.
JAMES W. HOSMER, Deputy Attorney General.
Commissioner of the General Land Office.
JAMES W. HOSMER, Deputy Commissioner.
Commissioner of the State Prison.
JAMES W. HOSMER, Deputy Commissioner.

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Chief Justice.
JAMES W. HOSMER.
Justices.
JAMES W. HOSMER, JAMES W. HOSMER, JAMES W. HOSMER.

JUDGES OF THE CIRCUIT COURTS.

First District.
JAMES W. HOSMER, JAMES W. HOSMER.
Second District.
JAMES W. HOSMER, JAMES W. HOSMER.

JUDGES OF THE DISTRICT COURTS.

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Second District.
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THE SENTENCE OF DEPUTY MARSHAL TYLER—WHAT THE PAPERS SAY.

We have watched with some curiosity the expressions of opinion on the part of the Press throughout all this region upon the sentence passed upon Deputy Marshal Tyler for the homicide of Capt. Jones. That expression is almost unanimously one of condemnation where anything has been said at all. We append every statement that we have seen, some times contained in one line, at others more at length.—*Det. Tribune.*

[From the Cleveland Herald.]

Was there ever such a burlesque of justice since Courts of Justice had a being?

[From the Rochester, N. Y., Democrat.]

The accused was either guilty or innocent of a grave offence, but this result turns the whole affair into ridicule.

[From the Grand Rapids Eagle.]

We believe the penalty for such offences as the stealing of a pair of shirts in that delectable city is something like three months' incarceration. Wonderful phenomenon, is the even balance of the scales of justice in that city.

[From the Pittsburgh Gazette.]

"Thirty days" is the period for which we send vagrants to jail in Pennsylvania; and it seems from this that the punishment which we award to a vagrant is deemed sufficient in Michigan for the punishment of manslaughter. The Detroit papers truly characterize the sentence as a farce.

Tyler was guilty not merely of manslaughter, but of committing that offence in Canadian waters, where he had no right to attempt the service of U. S. process. It was an aggravated crime, and such a sentence is a disgrace to the Court and Judge inflicting it.

[From the Marshall Examiner.]

The sentence pronounced by Judge Wilkins, as the U. S. District Court, in the case of Tyler, has been the subject of some discussion in these quarters, as being somewhat singular. On the whole, we think it right.

[From the Lexington, Sailing, Leader.]

This trial has elicited a good deal of interest and finally ends in almost a farce. For a carelessness which was truly culpable, and which resulted in the death of a fellow creature, Mr. Tyler receives the awful sentence of one month imprisonment in the County Jail, and a fine of one dollar.

[From the Cleveland Leader.]

The Toronto Leader, (Ministerial) comments with severity on the verdict of the Michigan jury in the case of Tyler, and says—Innocent of a conviction for murder, which awaited him here, he gets off with a verdict of manslaughter, and of course a nominal punishment. The question of his extradition cannot however yet be regarded as settled.

[From the Hamilton, C. W., Spectator.]

It now remains to be seen what action the Canadian authorities will take in the matter. The demands of justice have not been satisfied, and we presume it is still open for the Government here to demand the rendition of the prisoner under the Ashburton Treaty.

[From the Cleveland Review.]

The Judge, in his pettifogging pronouncement of the sentence, said "the verdict of the jury was substantially one of acquittal." Of course it was, and much to the disgrace of the jury be it said.

If any one wishes to commit murder we advise him to go to Michigan, it being the only State where it is considered an offence of a lesser grade than technical assault and battery.

[From the Winchester, C. W., Herald.]

It is well known to all that a murder was committed on the Canadian shore near Port Huron by Mr. Tyler, Captain Jones of the brig Concord, being the victim.

The person has been tried in Detroit before a jury selected from the county of Wayne. (Mistake.) The jury was drawn from all parts of the State.—*Ed. Tribune.*

The verdict rendered is "accidental homicide," which means that a man was killed by mischance, or accident. The people of this Province will not view the matter in this light, but as the decision has been given by a celebrated man named Judge Wilkins, every one must submit to his final award. We quote a portion of his kind address to Tyler on the termination of his trial, and it is understood that a "fellow-feeling makes us wondrous kind" in many instances, and as the address (or sentence) is a gem, we would like to publish it entire, but space forbids. (Here follows a quotation.)

The above is a portion of the address to the prisoner, and no doubt the Judge and criminal had something like a feeling of fraternization. The Judge evidently had a feeling of distress at being under the necessity of passing a heavy sentence upon the virtuous delinquent. The following is the sentence: (Here follows the sentence.)

How very grand this is: Marshal Tyler is a martyr, because his pistol accidentally went off in his hand, and he is in consequence of under the awful penalty of 30 days' confinement. The difficulty which presents itself is this: the poor captain who was killed, apparently forms to portion of the kindness given by the Judge, but his sympathies are apparently with the murderer. This is very kind on the part of the ruling power which presides over courts in Michigan; and we advise all these who wish to commit murder to go to that State for the purpose, as they will then receive tears of sympathy from the Judge, and the awful infliction of 31 penalty.

[From the Sandwich, C. W., Maple Leaf.]

On Monday last, Judge Wilkins, of the United States District Court, delivered sentence in the case of Deputy Marshal Tyler, who was last convicted of "involuntary manslaughter in the commission of an unlawful act," which in this case, means attempting to seize unlawfully a vessel in British waters, and shooting the captain for warning him off.

The sentence is a proper sequel to the verdict—One dollar fine and 30 days imprisonment.

We are sorry that want of space prevents our giving Judge Wilkins' speech in

delivering sentence. We will do so next week, in order that our readers may learn with what delicacy murder is treated over the way in certain cases. The case of Fleming, recently executed in Toronto, whose sentence was carried into effect principally with a view to putting a stop to carrying and using concealed weapons, is a striking contrast.

[From the Port Huron Press.]

Our citizens have not forgotten the startling announcement that was made in this city, early on the morning of the 20th of November last, that a man had been shot down on the deck of his own vessel, while at anchor on the Canada shore, by an officer of the Federal Government, having a civil process to serve. Neither have they forgotten how full and abundant was the evidence elicited in the examination before the coroner that the act was committed under circumstances that should, at least, have subjected the perpetrator to the second, if not the extreme penalty of the law for the crime of murder. But this surprise on the 20th day of November, was far exceeded by their surprise at the announcement of the sentence of Marshal Tyler. That sentence is, that he pay into the bankrupt Treasury of the United States a fine of ONE DOLLAR, and be imprisoned in a certain room in Detroit, known as the jail of Wayne county, for the space of THIRTY DAYS.

The whole conduct of this Tyler case, from beginning to end, has been a disgraceful burlesque upon Courts of Justice, and the result must bring contempt upon the Court in which it has been reached. There may have been a question about Tyler's being guilty of murder in the first degree, but if he was not guilty of manslaughter, committed under circumstances that afford no material palliation of the crime, we know not in what that crime consists. Testimony might and would have been given, had not the court excluded it, that would have shown that Tyler left this city fully advised that he had no authority to take the Concord where she lay, and that the probabilities were that in the attempt he would find himself in a position where he would either have to retreat or fight in the wrong, and that he left her fully determined to take her at all hazards. For hours he had been warned of the danger of his undertaking, and in view of such danger, he boarded the vessel with pistol in hand, prepared for an emergency. That emergency came and he shot his victim down as unceremoniously as he would a dog. In an instant the blood of the brave Captain Jones crimsoned his own deck, his wife was widowed and his child orphaned. For this heinous crime the miscreant that perpetrated is sentenced to pay the sum of ONE DOLLAR, and to be imprisoned THIRTY DAYS, a less penalty is usually inflicted for giving a fellow a black eye in a drunken row.

To all such Courts as the U. S. District Court of the State of Michigan criminals will pray to be commended, and from all such Courts honest men will devoutly pray, "Good Lord deliver us."

[From the same.]

A well known magistrate of this city, of the democratic party, when informed of the sentence of Tyler, exclaimed "By G—d, I'll go to shooting down black Republicans. It's the cheapest way to carry elections." He isn't a malicious man, or we should have some fear that his threats might be put in execution.

[From the Port Huron, C. W., Observer.]

As we intimated last week, Deputy Marshal Tyler charged with murdering Captain Jones of the brig Concord, was found guilty of manslaughter by the Detroit jury before whom he was tried, the verdict being accompanied by a strong recommendation to mercy, on the assumption that the act was accidental. His sentence was deferred until Monday last, but the general impression seemed to be that he would come off with a very slight punishment, from the sympathy with which his case was regarded by the Jury and Court. Few, however, anticipated it would result in such a farce as it has done; that such an utter mockery of justice would be perpetrated. Detroit papers received here on Tuesday evening brought the intelligence that Tyler had received his sentence on the day previous; and what, gentle reader, do you think that sentence was? "To pay a fine of ONE DOLLAR to the United States, and to be imprisoned in the jail of Wayne county, State of Michigan, for, and during the period of thirty days." Was ever such mockery of justice perpetrated in any country claiming to be civilized? We think we may fearlessly answer, Never!

The sentence as pronounced by Judge Wilkins occupies nearly a column of the Detroit papers, and the whole thing seems to be a piece of special pleading in favor of the prisoner, the facts being misrepresented and a strong inclination exhibited of a desire to extenuate and apologize for the villain, who in a fit of wanton bravado, without the shadow of an excuse, so unscrupulously and unlawfully took the life of a fellow citizen, merely because he claimed the protection of the British flag, and disputed as he had a perfect right to do, the authority of Tyler to act in his capacity as Marshal in serving process on a vessel moored in Canadian waters.

It is but justice to a portion of the Detroit press to say, however, that they denounce the farce as strongly as we can possibly do. They admit that he was doing an unlawful act in trying to seize a vessel in Canadian waters, had no right to go around at all, still less to point his pistol at Capt. Jones when within a few feet of him; and that for either of these acts, leaving wholly out of view the question of his intention to commit murder, he merited condign punishment. The papers claim for the people of Detroit or Michigan, exemption from the condemnation which the "farce" merits, and will justly receive everywhere. The trial was conducted altogether by United States officers, that is, by the officials of the Federal Government, and their conduct finds no sympathy with the people of the State. We hope this is really the case. In fact we wonder whether there is one man in the Union who will venture to hold up his head and defend such a burlesque on the solemn proceedings of a

court constituted to enquire into a matter of life and death.

This "farce," therefore, so far as any further trial of Tyler by American courts is concerned, is ended. The only question now is, will our Canadian authorities not claim the right to take the matter up under the Ashburton treaty. The Leader, (Government organ) affirms distinctly "that nothing can be clearer than that, under the Ashburton treaty, he ought to have been handed over to the Canadian authorities for trial—that the municipal laws of Michigan cannot come in to prevent the operation of the treaty—and that the question of his extradition cannot yet be regarded as settled." We shall see.

A DEAD GOVERNMENT.

The prevailing sentiment is that now Buchanan's Administration is virtually defunct; its vitality is all gone; it is an object of contempt with Democrat and Republican, which every body has ceased to regard in the way in the political future. Looking back a few short months we see Republicans, Americans, Anti-Leopoldites, Democrats and Democrats of other kinds, uniting together to defeat the measures, the candidates, the wishes of the Administration. These coalitions were generally successful. But now the breath is fairly knocked out of the body of this Administration; and even the Republicans can no longer use it as a bugbear or scarecrow.

The natural consequence of this altered state of things will be the crumbling to pieces of the temporary coalitions referred to; and they cannot be renewed.—*Rochester Union.*

It would be fortunate for its party if the Union could induce them to adopt its own ground, viz: that of discarding and disclaiming all responsibility for the acts of the present Administration. But this they will not do, so long as the Administration is the source of patronage, plunder and power.

But in one respect the Union's argument lacks cohesion. "We have tried one Democratic President" is its theory; "and he has proved so unfit and tyrannical as to become an object of contempt to everybody. Therefore let us elect another like him." It is true this policy was adopted in 1836. Democrats who repudiated the acts of President Pierce, were induced by fair promises of a "new policy," to test their suffrages for Buchanan. But the result has shown that they only exchanged bad for worse. The same game cannot be played twice successfully.

It would be a delightful thing for the Administration Party if they could make the President the scapegoat for all their misdeeds. But the people will hold the party as well as its agent to accountability.—*Albany Journal.*

PENNSYLVANIA DEMOCRATIC STATE RIGHTS CONVENTION.

Harrisburg, Wednesday, April 13.

The Democratic State Rights Convention met this morning. The attendance was very large. Alexander McKinney presided.

The Hon. John Hickman made a speech of an hour's length, in which he said:

These who talk of conciliation and compromise between us and the self-constituted enemies of the Democratic party, can have but a feeble appreciation of the real condition of things. Let this truth be made prominent, that there is eternal antagonism between Freedom and Slavery. The struggle between them is but just begun, and is going on in our midst. We have acted honorably, benevolently, and longer forbearance with the South not only ceases to be virtuous, but becomes cowardly and base. The North has rights long held in abeyance; yet, not lost; we will save them; by walls and fire and blood, if need be, we will save them. We will resist aggression on the part of the South, but not her constitutional guarantees; and will force a plain, distinct, unequivocal recognition of the rightful claims of the North; nothing more and nothing less. Further, a usurpation has been accomplished, which saps to the very foundation of our political structure. Mr. Buchanan has demanded the absorption of the powers of Congress in the hands of the Executive. To carry out his treachery he has assailed the representatives of the people, bribed the venal, reward the aspiring, alarmed and timid, deceived the honest. More recently, however, when the recommendations of the President were thought to favor the agricultural and manufacturing States; when the propriety of a new tariff law was suggested, when the so-called Democratic Members of the Senate and the House, even the Cabinet officers, raised the voice of denunciation, opposition, it was all right, and rebellion became loyalty. And yet Pennsylvanians see nothing wrong in this; nay, they commend it. Chains never clanked upon the limbs of beings more servile and debased. We charge further upon the administration of Mr. Buchanan one main cause by which we have reached the point of national infamy, a reckless prodigality in the expenditures of the public money and the prevailing vice in the Departments of the Government. He referred to the Van Buren administration, when the expenditures of the Government were thirty-seven millions. This he pronounced very extravagant, but nothing to compare with the present time, when the expenses were increased to one hundred millions. He then alluded to the navy yards, all crowded with supernumeraries, while the expenses of the Post Office Department are greatly augmented. These proceedings, which he characterized as outrageous and indorsed as genuine by a Convention purporting to represent the Democratic party in the State.

He then declared that Mr. Buchanan and his cohorts were incomplete. His address was quite lengthy, and produced considerable effect.

The committee reported resolutions to the following effect: That we are here today to resist every attempt to weaken or overthrow the creed of the Democratic party—to unite for the purpose of restoring to all their vigor and purity the Democracy of the United States, which has contributed to the enduring welfare of the Union; that this convention most solemnly declares its warm attachment to the

union of the States, to maintain which it pledges all its powers; and that for this end it is our duty to oppose every infraction of those principles, which constitute the only basis of that union, because a faithful observance of them can only secure its existence and public happiness.

That we are bound to regard the Administration as having forfeited the confidence of the people and to denounce it as unworthy of the support of the Democratic party; that the attempt of the Administration to disregard the covenant of 1850, and in its stead erect a despotic test to compel obedience to doctrines, subversive of republican liberty, was the work not of the Democratic party, but of men who had resolved upon ambitious purposes; and that we reiterate the principles of popular sovereignty, non-intervention in the Territories by the States, non-intervention by Congress with Slavery in the Territories, and non-intervention by the Federal Executive with the franchises of the people of the States, that we repudiate the platform of the Convention of March; and that no matter what the decision of the Supreme Court may be on the abstract question, still the right of the people to make a slave territory or a free territory is perfect and complete under the Nebraska bill.

A series of resolutions were adopted, and the Convention adjourned with great enthusiasm.

Correspondence of the Philadelphia Press.

MORE ADMINISTRATION CORRUPTION TO BE EXPOSED.

Exposures will be made at the next Session of Congress of a character to demand the impeachment of high officers of the Government. It would seem that in many departments there is not only a deliberate disregard of the letter of the law, but, more shameful still, that there have been unauthorized violations of the sanctity of private correspondence. To remove our institutions from the infamy that the present Administration has put upon them, and save us from that dire calamity, in which the finger of scorn would point to us from every quarter of the civilized world, is a solemn duty of every man, whether a representative of the people, journalist, or otherwise, to make the facts appear that the y will fall down at once, crushing denunciations upon the heads of the guilty. Here is one:

A gentleman in one of the great cities of the West holds himself responsible, with another, on oath, to prove that not only were documents ordered not to be distributed when sent by a certain Senator, but that letters were also violated. An Investigating Committee will, I understand, be called upon this matter as well as upon the malpractices of the Post Office Department, at an early day of the Session. So insecure has the transmission of private correspondence become, that one might well think there was here, as in the palmy days of the Austrian despotism, a censor of the mails—one who, with diabolical ingenuity, got into letters and allowed all to pass that were unexceptionable to its requirements, and withheld all that were calculated to defeat or embarrass the purpose of the "powers that are." Again have sealings and deep-cut seals come into almost general use. Complaints arise on all sides that letters are lost.

Then again, the strangest rumors float about of votes purchased by money raised from percentages upon contracts. I learn that a Philadelphia, who comes here occasionally, hesitates not to tell that he was ordered to pay a percentage on what he received for printing the Post Office blanks, to a higher officer of one of the Departments. All these things, and where, must come out. The result, the corruption of good men, can only be imagined.

From the Chicago Press, April 18.

ATTEMPT OF A WHIG TO SEIZE HER HUSBAND.

A singular affair is now creating much sensation in its vicinity of the West Division. A German couple named Saul—the man B. Saul, a barber by occupation, about thirty years old, his wife a year or two younger—have lived unhappily together for some time past. He has been jealous of her, and she, as is said, fully sustained her share of the quarrel.